

ORDINANCE C-33-91

AN ORDINANCE TO AMEND CHAPTER 15 OF THE CODIFIED ORDINANCE ENTITLED FIRE PREVENTION

WHEREAS, a need exists to adopt the most current edition of the BOCA Fire Code.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 1511.01 of the Codified Ordinance entitled "Technical Codes Adopted" which reads:

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion there is hereby adopted, as if set out at length herein, that certain code known as the Ohio Fire Code (OFC) as adopted by the Ohio Division of State Fire Marshal, Department of Commerce, effective July 1, 1979, and as published in Division 1301:7 of the Ohio Administrative Code and the BOCA Basic Fire Prevention Code, 1978, fourth edition, as amended by Chapter 1301:7 - 1301:7-7 of the Ohio Administrative Code, as published by the Building Officials and Code Administrators International, Inc. and the provisions thereof shall be controlling within the corporate limits of the City. Provided that, where the provisions of the Ohio Fire Code and the Basic Fire Prevention Code conflict with the provisions of these Codified Ordinances or other ordinances of the City, the provisions of these Codified Ordinances or other ordinances of the City shall control. (Ord C48-79, Passed 7-16-79)

IS HEREBY AMENDED TO READ:

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion there is hereby adopted, as if set out at length herein, that certain code known as the BOCA National Fire Prevention Code, 8th Edition, 1990, as published by the Building Officials and Code Administrators International, Inc. and the provisions thereof shall be controlling within the corporate limits of the City. Provided that, where the provisions of the BOCA National Fire Prevention Code, 8th Edition, 1990 conflict with the provisions of these codified Ordinances or other ordinances of the City shall control.

SECTION 2. Section 1511.02(c) of the Codified Ordinances entitled "Definitions" which reads:

"Bureau of Fire Prevention" means the Director of Public Safety or other officer of the City designated to enforce the provisions of the Fire Prevention Code. (Ord C45-66 Passed 7-11-66)

IS HEREBY AMENDED TO READ:

"Bureau of Fire Prevention" means the Director of Public Safety or other officer of the City designated to enforce the provisions of the BOCA National Fire Prevention Code, 8th Edition, 1990.

SECTION 3. Section 1511.03 of the Codified Ordinances entitled "Enforcement" which reads:

The Fire Prevention Code shall be enforced by the Director of Public Safety and such other officer or officers of the City designated by him or by the Mayor and no person properly served with an order under the provisions of the Fire Prevention Code shall fail to comply with the order. (Ord C45-66 Passed 7-11-66).

IS HEREBY AMENDED TO READ:

The BOCA National Fire Prevention Code shall be enforced by the Director of Public Safety and such other officer or officers of the City or qualified agencies designated by him or by the Mayor and no person properly served with an order under the provisions of the "The BOCA National Fire Prevention Code" shall fail to comply with the order.

SECTION 4. Section 1511.04 of the Codified Ordinances entitled "Storage Districts For Flammable Liquids" is hereby repealed.

SECTION 5. Section 1511.05 of the Codified Ordinances entitled "Storage Districts for Liquified Petroleum Gasses and Explosives" is hereby repealed.

SECTION 6. Section 1511.06 of the Codified Ordinances entitled "Modifications" which reads:

The Director of Public Safety shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized gent, when there are practical difficulties in the way of carrying out the strict letter of the Fire Prevention Code; provided that the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Director thereon shall be entered upon the records of the Director and a signed copy shall be furnished to the applicant. (Ord. C45-66 Passed 7-11-66)

SHALL BECOME SECTION 1511.04 - MODIFICATIONS, AND IS HEREBY AMENDED TO READ:

The Director of Public Safety shall have the power to modify any of the provisions of the BOCA National Fire Prevention Code upon application in writing by the owner or lessee, or his duly

authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the BOCA National Fire Prevention Code; provided that the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Director thereon shall be entered upon the records of the Director and a signed copy shall be furnished to the applicant.

SECTION 7. Section 1511.07 of the Codified Ordinances entitled "Appeals" which reads:

Whenever the Director of Public Safety disapproves an application or refuses to grant a license or permit applied for, or when it is claimed that the provisions of the Fire Prevention Code do not apply or that the true intent and meaning of such Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Director of Council within Thirty Days from the date of the decision appealed from. (Ord. C-45-66. Passed 7-11-66)

SHALL BECOME SECTION 1511.05 - APPEALS, AND IS HEREBY AMENDED TO READ:

Whenever the Director of Public Safety disapproves an application or refuses to grant a license or permit applied for, or when it is claimed that the provisions of the BOCA National Fire Prevention Code do not apply or that the true intent and meaning of such Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Director of Council within Thirty Days from the date of the decision appealed from.

SECTION 8. Section 1511.08 of the Codified Ordinances entitled "New Materials, Processes or Occupancies Requiring Permits" which reads:

The Administrative Assistant, Director of Public Safety and the Building Inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those enumerated in the Fire Prevention Code. The Director shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. (Ord. C-45-66. Passed 7-11-66.)

SHALL BECOME SECTION 1511.06 - NEW MATERIALS, PROCESSES OR OCCUPANCIES REQUIRING PERMITS, AND IS HEREBY AMENDED TO READ:

The Administrative Assistant, Director of Public Safety and the Building Inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those enumerated in the BOCA National Fire

Prevention Code. The Director shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

SECTION 9. Section 1511.09 of the Codified Ordinances entitled "Fire Inspection; Right of Entry" is hereby amended to become SECTION 1511.07.

SECTION 10. Section 1511.10 of the Codified Ordinances entitled "Removal of Flammables or Obstructions" is hereby amended to become SECTION 1511.08.

SECTION 11. Section 1511.11 of the Codified Ordinances entitled "Protective Appliances; Notice" which reads:

If the Director of Public Safety finds upon inspection that the appliances described in Section 1511.09 are wholly wanting or are inadequate in number, condition, size, arrangement or efficiency for the reasonable protection of the premises against fire, he shall cause an order in writing to be delivered to the owner, lessee or occupant, requiring the installation, replacement or repair of appliances adequate for the reasonable protection of the premises in case of fire. (1950 Code. 18.28.)

SHALL BECOME SECTION 1511.09 - PROTECTIVE APPLIANCES; NOTICE, AND IS HEREBY AMENDED TO READ:

If the Director of Public Safety finds upon inspection that the appliances described in Section 1511.07 are wholly wanting or are inadequate in number, condition, size, arrangement or efficiency for the reasonable protection of the premises against fire, he shall cause an order in writing to be delivered to the owner, lessee or occupant, requiring the installation, replacement or repair of appliances adequate for the reasonable protection of the premises in case of fire.

SECTION 12. Section 1511.12 of the Codified Ordinances entitled "Compliance; Action by Division of Fire Prevention and Inspection" which reads:

The order or orders described in this chapter shall be directed to the owner, lessee, or occupant of such premises, building or structure, or to the person in control of the articles, material, goods, wares or merchandise herein referred to, or to the owner thereof, as the circumstances may require, and the owner, lessee or occupant of such premises, building or structure, and the person in control of such articles, materials, goods, wares and merchandise, or other owner thereof, shall comply with the order or orders with all reasonable dispatch and diligence. In the event the owner, lessee or occupant fails or refuses to comply with any order made pursuant to Sections 1511.10 and 1511.11, or in case of emergency, the matter therein referred to may be removed or rearranged by the Division of Fire Prevention and Inspection.

SHALL BECOME SECTION 1511.10 - COMPLIANCE; ACTION BY DIVISION OF FIRE PREVENTION AND INSPECTION, AND IS HEREBY AMENDED TO READ:

The order or orders described in this chapter shall be directed to the owner, lessee, or occupant of such premises, building or structure, or to the person in control of the articles, material, goods, wares or merchandise herein referred to, or to the owner thereof, as the circumstances may require, and the owner, lessee or occupant of such premises, building or structure, and the person in control of such articles, materials, goods, wares and merchandise, or other owner thereof, shall comply with the order or orders with all reasonable dispatch and diligence. In the event the owner, lessee or occupant fails or refuses to comply with any order made pursuant to Sections 1511.08 and 1511.09, or in case of emergency, the matter therein referred to may be removed or rearranged by the Division of Fire Prevention and Inspection.

SECTION 13. Section 1511.13 of the Codified Ordinances entitled "Waste Receptacles for Hazardous Materials" is hereby repealed.

SECTION 14. Section 1511.14 of the Codified Ordinances entitled "Fire Extinguishers; Approval Required" is hereby amended to become Section 1511.11.

SECTION 15. Section 1511.12 entitled "Fees" is hereby added to the Codified Ordinances of the City of Grove City and shall read:

All Fire Prevention and Control Fees established by Jackson Township are hereby adopted and incorporated as if set out at length herein.

SECTION 16. This ordinance shall take effect at the earliest opportunity allowed by law.

Earl R. Nicholson
Earl R. Nicholson, President of Council

Charles W. Boso

Passed: 5/20/91
Effective: 6/20/91

Richard-L.-Stage, -Mayor Charles Boso,
Acting Mayor

Attest:

Tami K. Kelly
Tami K. Kelly, Clerk of Council

I Certify that this ordinance is correct as to form.

Thomas R. Clark
Thomas Clark, Director of Law